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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/521,520	02/23/2007	Randall Snyder	6783P104	5106

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EXAMINER	
KELLEY, STEVEN SHAUN	

ART UNIT	PAPER NUMBER
2617	

MAIL DATE	DELIVERY MODE
02/27/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/521,520	SNYDER ET AL.	
	Examiner	Art Unit	
	STEVEN KELLEY	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 February 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☐ Claim(s) *1-31* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-31* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 7,116,994 to Hatch (hereinafter "Hatch") in view of U.S. Patent No. 7,068,772 to Widger et al. (hereinafter "Widger").

Regarding claim 1, Hatch teaches a messaging address system for facilitating interaction between mobile subscribers and message-based applications, said system comprising: a communications network (see Fig. 1); and a message center system coupled to said communications network (short message service center 2 and HLR 7, as in Fig. 1), said message center system comprising: a processor (Hatch does not explicitly mention a processor, however, a processor is deemed to be inherently included within, and necessary to perform the functions described in the SMSC 2 and HLR 7) configured to: associate destination addresses with corresponding data network addresses (database stored in HLR 7, see claim 1); receive a mobile-originated message generated by a subscriber wireless device (see column 2, lines 60-63); said mobile-originated message including a destination address, translate said mobile-originated message's destination address into its corresponding data network address

(see column 3, lines 4-14), and send said mobile-originated message to said corresponding data network address for receipt by a message-based application (see column 3, lines 15-17). Hatch does not teach that the destination address is "formatted in accordance with a standard non-geographic numbering and administration plan" as recited in claim 1.

In an analogous art, Widger teaches a communications network which includes a database used to route calls to subscribers using 1-800 numbers, where the subscriber may include a network address (such as an email address) to have the message forwarded to. See for example, column 15, lines 40-67 and Figs. 1, 2A and 5. The "1-800" numbers (recited "destination addresses") used in Widger read on the recited "destination addresses formatted in accordance with a standard non-geographic numbering and administration plan" as recited in claim 1. Widger also discusses the use of processors (in column 7) employed within the servers and devices described in the communications system. Additionally, Widger teaches that calls placed in the system may be to/from wireless callers (see column 15, lines 8-24) and that a call or "subscriber input may be of any form, not necessarily DTMF input or voice command…For example, subscriber or user input may be …keyboard interaction with a web page using a computer input device, personal computer with web browser software,…or may be provided to the user via an appropriate device, such as a palm top computer having a wireless connection to the system (see column 17, lines 7-15).

Therefore, as Widger teaches the cost and routing advantages of receiving calls to 1-800 numbers and forwarding the calls to a wireless data network address, it would

have been obvious to one of ordinary skill in the art to modify Hatch with the ability to associate "standard non-geographic" destination addresses with data network addresses, in order to increase the network resources available for messaging.

Regarding claims 9, 16 and 24, see the rejection of claim 1 above.

Regarding claims 2, 10, 17 and 25, which recite that the "destination address is formatted in accordance with the Numbering Plan (NANP) service access code (SAC) format", the 1-800 numbers (recited destination addresses) used in Widger are formatted in accordance with NAPN SAC, as recited.

Regarding claims 3, 11, 18 and 26, which recite that the "format of said destination address comprises N00-NXX-XXXX, where N is any number 2-9 and X is any number 0-9", the "1-800" numbers of Widger read on the recited language.

Regarding claims 4, 12, 19 and 27, which recite that the "message center system is further configured to store said mobile-originated message", see column 3, lines 49-65 of Hatch, which teaches storing undelivered messages.

Regarding claims 5, 20 and 28, which recite that the "communications network comprises a wireless network and a data network and said mobile-originated message having an associated transfer protocol and wherein said system further comprises a

wireless-to-data network transfer protocol conversion component associated with said wireless network and said data network, said transfer protocol conversion component for converting said mobile-originated message transfer protocol from said wireless to said data and vice versa", see claim 1 of Hatch which teaches an email forming means which converts a text message to an email message (recited "wireless-to-data protocol conversion").

Regarding claims 6, 13, 21 and 29, which recite that the "data network is a network selected from the group consisting of a packet-switched network, circuit-switched network or any combination thereof", as Hatch teaches email delivery, the data network (10) must inherently be a packet-switched network". Additionally, Widger explicitly teaches packet switched networks in column 6, line 2.

Regarding claims 7, 14, 22 and 30, which recite that "wireless network implements a protocol selected from the group consisting of the Global System for Mobile ("GSM") protocol, Time Division Multiple Access ("TDMA") protocol, Code Division Multiple Access ("CDMA") protocol, other American National Standards Institute-41 ("ANSI-41") protocols, or any combination thereof", see column, 2, lines 24-27 of Hatch, which teach using GSM protocol.

Regarding claims 8, 15, 23 and 31, which recite that the "data network implements a protocol selected from the group consisting of the Short Message

Service ("SMS") protocol, Enhanced Messaging Services ("EMS") protocol, Multimedia Messaging Services ("MMS") protocol, Internet Protocol ("IP") based technologies using telephone number mapping ("ENUM"), or any combination thereof", see column 2, lines 33-42 of Hatch, which teach using SMS protocol and column 3, which teaches using IP protocol.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to STEVEN KELLEY whose telephone number is (571) 272-5652. The examiner can normally be reached on Monday-Friday, 9AM to 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on (571) 272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/SSK/

/Lester Kincaid/
Supervisory Patent Examiner, Art Unit 2617